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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BREONNA FLEMING, an individual,

Plaintiff,

vs.

SOMERSET ACADEMY OF NEVADA, dba
SOMERSET ACADMEY OF LAS VEGAS, a
Domestic Non-Profit Corporation,

Defendant(s).

CASE NO.: 2:22-cv-02111-CDS-VCF

**STIPULATION AND ORDER TO CONTINUE
THE ENE SCHEDULED FOR AUGUST 10, 2023**

(SECOND REQUEST)

A Stipulation was entered between the parties to continue the prior ENE Which was scheduled for June 6, 2023 (ECF 12). All parties of record are attempting to resolve the underlying issues through a settlement. The parties request that the current ENE Scheduled for **August 10, 2023**, should be continued beyond the current date to allow the parties time to confer with their experts, witnesses, and clients to attempt to resolve this matter. Plaintiff has retained an expert and has compiled medical records for the expert to review. Plaintiff's Expert has not finished his report. Plaintiff's Counsel also has a conflict on **August 10, 2023**. A Demand is also being submitted to Defendants once the Expert Report has been prepared.

Compiling these records has taken several weeks and the Expert is now preparing his Report which is the reason for the requested continuance of the ENE. This Stipulation is being submitted in good faith and not for the purpose of unnecessary delay.

Further, the Parties stipulated that Defendant's Insurance Representative, Krystn Mundy, who is based in Philadelphia, Pennsylvania be permitted to appear for this ENE via remote means, either by video-conference or by telephone.

Dated this 28th day of July, 2023.

**MULLINS & TRENCHAK, ATTORNEYS
AT LAW**

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ORDER

IT IS HEREBY ORDERED that the parties' Stipulation is GRANTED in part and DENIED in part. The request to continue the ENE is granted. The request for Defendant's insurance representative to appear via remote means is denied without prejudice. Defendant's may separately move for the requested relief.

IT IS FURTHER ORDERED that the Early Neutral Evaluation scheduled for August 10, 2023 is **VACATED** and **RESET** to **Monday, October 16, 2023 at 10:00 a.m.**

IT IS FURTHER ORDERED that the confidential evaluation statements must be submitted by 4:00 p.m. on Tuesday, October 10, 2023.

IT IS FURTHER ORDERED that all other provisions of the Court's prior Order (ECF No. 10) remain in effect.

DATED this 2nd day of August 2023.



DANIEL J. ALBREGTS
UNITED STATES MAGISTATE JUDGE